

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently amended) An isolated nucleic acid molecule comprising a *FIE* polynucleotide encoding a polypeptide that is at least 60% identical to SEQ ID NO:4, wherein the polypeptide comprises a WD40 repeat and wherein the nucleic acid molecule enhances endosperm development in the absence of fertilization when the polynucleotide is operably linked to a promoter to inhibit endogenous *FIE* gene expression and introduced into a plant.

2. (Currently amended) The isolated nucleic acid molecule of claim 1, wherein the *FIE* polynucleotide is at least ~~about~~ 100 nucleotides in length.

3-4. (Canceled)

5. (Original) The isolated nucleic acid molecule of claim 1, further comprising a plant promoter operably linked to the *FIE* polynucleotide.

6. (Original) The isolated nucleic acid molecule of claim 5, wherein the plant promoter is from a *FIE3* gene.

7. (Original) The isolated nucleic acid of claim 6, wherein the *FIE* polynucleotide is linked to the promoter in an antisense orientation.

8. (Original) The isolated nucleic acid molecule of claim 1, wherein the polypeptide is SEQ ID NO:4.

9. (Previously presented) A transgenic plant comprising an expression cassette containing a plant promoter operably linked to the *FIE* polynucleotide of claim 1, wherein the polynucleotide is heterologous to the plant promoter or the plant.

10. (Original) The transgenic plant of claim 9, wherein the heterologous *FIE* polynucleotide encodes a *FIE* polypeptide.

11. (Canceled)

12. (Original) The transgenic plant of claim 9, wherein the heterologous *FIE* polynucleotide is linked to the promoter in an antisense orientation.

13. (Original) The transgenic plant of claim 9, wherein the plant promoter is from a *FIE* gene.

14. (Canceled)

15. (Currently amended) A method of modulating enhancing endosperm development in a plant in the absence of fertilization, the method comprising introducing into the plant an expression cassette containing a plant promoter operably linked to the *FIE* polynucleotide of claim 1, wherein the polynucleotide is heterologous to the plant promoter or the plant.

16. (Canceled)

17. (Original) The method of claim 15, wherein the polypeptide has an amino acid sequence as shown in SEQ ID NO:4.

18. (Original) The method of claim 15, wherein the heterologous *FIE* polynucleotide is linked to the promoter in an antisense orientation.

19. (Original) The method of claim 15, wherein the heterologous *FIE* polynucleotide is SEQ ID NO:3.

20. (Original) The method of claim 15, wherein the plant promoter is from a *FIE* gene.

21. (Original) The method of claim 15, wherein the expression cassette is introduced into the plant through a sexual cross.

22. (Original) The isolated nucleic acid molecule of claim 1, wherein the polypeptide is at least 80% identical to SEQ ID NO:4.

23. (Original) The transgenic plant of claim 9, wherein the polypeptide is at least 80% identical to SEQ ID NO:4.

24. (Original) The method of claim 15, wherein the polypeptide is at least 80% identical to SEQ ID NO:4.

25. (Previously presented) The method of claim 15, wherein the polynucleotide is at least 100 nucleotides in length.

26. (Previously presented) The method of claim 15, wherein the plant promoter is tissue-specific.

27. (Previously presented) The method of claim 15, wherein the plant promoter is ovule- or embryo-specific.

28. (Previously presented) The method of claim 15, wherein the polynucleotide is operably linked to the plant promoter in a sense orientation.

29. (Previously presented) The method of claim 15, wherein the polynucleotide specifically hybridizes to SEQ ID NO:3 in a buffer of 40% formamide, 1 M NaCl, 1% SDS at 37°C, followed by one wash for 20 minutes in 0.2X SSC at a temperature of about 50°C.